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Note verbale dated 23 April 2003 from the Permanent Mission of Slovenia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Slovenia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) and has the honour to transmit, pursuant to paragraph 6 of resolution 1455 (2003), the updated report of the Republic of Slovenia on steps taken to implement the measures imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002) (see annex).

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Annex to the note verbale dated 23 April 2003 from the Permanent Mission of Slovenia to the United Nations addressed to the Chairman of the Committee

Report of Slovenia on the implementation of sanctions against the Taliban and al-Qa`idah pursuant to Security Council resolution 1455 (2003)

The Republic of Slovenia condemns international terrorism, and therefore participates actively in the international anti-terrorist coalition established following the terrorist attack on the World Trade Centre in New York on 11 September 2001. Slovenia supports and participates in the international initiatives in the fight against terrorism, adopted within the United Nations, the European Union, NATO, OSCE and the Council of Europe.

Pursuant to UN Security Council Resolution 1455 (2003) and the Guidelines for Reports Required of all States Pursuant to Paragraphs 6 and 12 of the Resolution 1455 (2003) adopted by the Security Council Committee established pursuant to Resolution 1267 (1999), the Government of the Republic of Slovenia adopted, at its 17th session, on 18 April 2003, the Report on the Implementation of Sanctions against the Taliban and Al-Qaida pursuant to UN Security Council Resolution 1455 (2003).

In compliance with UN Security Council Resolution 1455 (2003), the Republic of Slovenia strengthened sanctions against the Taliban, Al-Qaida and Osama bin Laden as well as individuals and entities connected with them. The Report of the Republic of Slovenia on the Implementation of Sanctions against the Taliban and Al-Qaida to the Sanctions Committee 1267 is based on Security Council Resolution 1455 and has been drafted pursuant to Security Council Resolutions 1267 (1999), 1333 (2000) and 1390 (2002), which introduced and amended the sanctions regime relating to the situation in Afghanistan.

I. Introduction

1. On 11 May 2001, the National Assembly of the Republic of Slovenia adopted the Restrictive Measures Act amended on 21 June 2002. On the basis of this Act, the Government established an interdepartmental working group on 23 January 2003 for the implementation of restrictive measures and for the monitoring of activities relating to the fight against terrorism. On the recommendation of the aforementioned group, the Government of Slovenia may adopt or revoke by decree restrictive measures against specific countries with regard to its obligations under international law. On 23 January 2003, the Government of the Republic of Slovenia adopted the decree - amending a previous decree - on measures against the Taliban (Afghanistan), which is also accessible on the web site:
http://zakonodaja.gov.si/rpsi/r07/predpis_ZAKON3117.html

Measures, tasks and activities of the police in the prevention of terrorism may be summarised in the following clusters:
- Collecting operational data
- Protecting persons and objects
- Thorough monitoring of aliens (particularly those from countries that present a high security risk)
- Current and thorough checking of all information indicating terrorist activity
- Guaranteeing air traffic security
- Coordinating tasks and measures
- Introducing stricter control at the state border

Pursuant to the Restrictive Measures Act (Uradni list RS (Official Gazette), No. 35/01 and No. 59/02) and the published decrees on individual restrictive measures against the Taliban and Al-Qaida, the Customs Administration of the Republic of Slovenia imposed the mandate for the integration of the necessary restrictions into the Customs Information System (CIS), which consists of official records of customs procedures and control of customs goods in transit. The integrated restrictions do not allow for the entry of customs documents into the system in cases where they include elements that have been restricted. The integrated warnings direct customs officials to the further checking of documents and goods.

The Office of the Republic of Slovenia for Money Laundering Prevention does not have any information relating to the activities of Usama bin Laden, Al-Qaida and the Taliban on the territory of the Republic of Slovenia.

II. Consolidated List

2. The Republic of Slovenia did not encounter any specific problems or deviations in coordinating the list. The most explicit is the coordination procedure for implementing measures for the prevention of financing international terrorism, which is underway. Regardless of the fact that, at this stage, Slovenia has not yet ratified the International Convention for the Suppression of the Financing of Terrorism, the latter has already been signed and the harmonisation of legislation is underway. Relevant measures were adopted, so that Slovenia has guaranteed, at the interdepartmental level, the implementation of envisaged measures in the field of controlling suspicious

financial transactions. The police have placed the lists of persons under UN Security Council Resolution 1267 (1999) on the list of persons not allowed to enter the Republic of Slovenia. These lists are being continually updated.

In addition, all customs offices have been notified and informed of the newly published and introduced, or changed, restrictions and measures. Written guidelines include procedures for what to do with goods and their accompanying documents in case a violation has been established, and lay down the duties of customs offices. These must communicate the disclosure and their findings immediately to the General Customs Directorate, which in turn must inform the Ministry of Foreign Affairs.

The Office of the Republic of Slovenia for Money Laundering Prevention, in compliance with the Money Laundering Prevention Act, checked the persons on the list published under UN Security Council Resolution 1267 (1999) in their own records and in Slovenian banks.

3. We encountered no particular problems in placing these persons on our lists.

4. The Office of the Republic of Slovenia for Money Laundering Prevention has no information that any individual or legal entity on the mentioned list is operating in the Republic of Slovenia. So far, the police have not come across any individual on the list.

5. There is no relevant information on this question.

6. There is no relevant information on this question.

7. There is no relevant information on this question.

8. There is no relevant information on this question.

III. Financial and Economic Asset Freeze

9. The Bank of Slovenia adopted no particular act on this issue, as the subject of control on the basis of Article 128 of the Banking Act must, at the request of the Bank of Slovenia, submit reports and information on all issues relevant for carrying out the control or the discharging of other competencies and tasks of the Bank of Slovenia. These include the tasks in the field of control of implementation of the restrictive measures in compliance with the provision of the second paragraph of Article 2č of the Restrictive Measures Act.

10. There is no relevant information on this qusetion.

11. The Bank of Slovenia, through the Bank Association of Slovenia, continually notifies all members of the Association of new persons placed on the consolidated list of individuals and entities subject to sanctions and relevant UN resolutions. At the same time, the Bank of Slovenia also highlights the updated list of individuals and entities on the website of the Sanctions Committee.

The customs service is responsible for the control and surveillance of transfer of domestic and foreign currency in and out of the country (transfer of cash across the border). Transfer of cash across the national border above the prescribed amount shall be entered into the customs information system, and from there, the message is automatically forwarded to the Office for Money Laundering Prevention.

12. The customs service has established an intranet information system, in which notifications and notices for different sensitive and important areas, including restrictive measures, are entered and published. Access to information on the website is authorised for all official persons of the customs administration who are employed at border and inland customs offices. Acquired data and information are entered daily into the system at the General Customs Directorate. The system also facilitates the entry of an urgent and important piece of information or warning by authorised customs service officials working at customs offices.

13. The Office of the Republic of Slovenia for Money Laundering Prevention has no information that financial means would be confiscated from any person on the list.

14. There is no relevant information on this qusetion.

IV. Travel Ban

15. Slovenian legislation regulates standards required for national border control. Basically, this area is covered by the National Border Control Act and by the Aliens Act. Both acts are entirely harmonised with standards imposed by the Schengen Agreement. At the same time, the Slovenian Police drafted additional guidelines in respect of stricter controls at border crossings and for the border area of the Republic of Slovenia. The provisions of the guidelines are applied *mutatis mutandis* in procedures of the Republic of Slovenia.

16. The list of persons, institutions and entities is being regularly processed and forwarded to the competent services and authorities. For reasons of practicality and for maximum effectiveness, the updated information is forwarded online so that the list may be accessed by a broad circle of authorised bodies at any time.

17. The list is being regularly updated according to requirements and with tangible changes.

18. To date, the police have not discovered any persons on the list, either at border crossings or in Slovenia itself.

19. A direct electronic connection has been established between the Ministry of Foreign Affairs and the Ministry of the Interior that provides for the control of all events regarding attempts by citizens of potentially risky countries to enter Slovenia. In compliance with adopted measures pursuant to UN Security Council Resolution 1455 (2003), regular updates are provided for by coordinated consultations.

V. Arms Embargo

20. Arms exports are governed by the Defence Act, while permits for the exportation of military weapons and equipment are issued by the Ministry of Defence. The regime of issuing these permits is aligned with European legislation which, in addition to other "protection instruments", also provides for control of the end-user and the compulsory attachment of the end-user certificate. As of February 2003, the opinion of the interdepartmental group deciding on the issue of the permit must be obtained prior to the issue of such a permit. The interdepartmental group is composed of representatives of the Ministry of Defence, the Ministry of the Interior, the Slovenian Intelligence and Security Agency, the Intelligence and Security Service of the Ministry of Defence, the Ministry of the Economy and the Ministry of Foreign Affairs. The Ministry of Defence reports to the Government of Slovenia on permits issued. Records on rejected applications for permits, or revoked permits, which have already been issued due to the UN embargo are kept by the Ministry of Defence of the Republic of Slovenia.

Control over the transit, importation and exportation of military and other weapons, ammunition, explosives and military material shall be conducted on the basis of permits issued. The Ministry of Defence (weapons for military use) or the Ministry of the Interior (weapons for civilian use) are responsible for issuing permits. The Ministry must notify the Customs Administration of the permit issued and of any importation or exportation of weapons, ammunition, parts or military material to Slovenia or from Slovenia.

21. The Ministry of Defence and the interdepartmental working group deciding on the correctness of issuing arms exportation permits and providing opinions to the Ministry of Defence, offers a negative view of the issuing of permits for military arms and equipment exportation in cases where there is a suspicion that the arms are intended for terrorist groups or countries under UN embargo. Regarding the latter, the Restrictive Measures Act and the Decree of the Government of the Republic of Slovenia adopted on its basis, apply. These acts define entities with which any economic operations are prohibited. The decrees are based on UN conventions specifically defining such entities.

22. As of February 2003, the Decree on permits and consensus for trade in and the production of military weapons and equipment (Uradni list RS No. 18/03), defines the licence issuing procedure for brokering in the trade in military weapons and equipment and issuing permits for individual mediation jobs, which are granted by the Ministry of Defence of the Republic of Slovenia. In issuing such permits, the Ministry of Defence takes into account the resolutions and conventions of the UN and Government decrees referring to the ban on doing business with individual entities.

23. Weapons and ammunition of the Ministry of Defence and the police are adequately protected in warehouses with technical and physical protection. Confiscated weapons are stored in the Ministry of the Interior warehouse, except for military weapons that are stored by the Slovenian Army until the end of the court proceedings. After the conclusion of the court proceedings, weapons are usually destroyed. However, they may be handed over to the Ministry of Culture in cases of rarity and, in the instances of hunting or sports weapons, these may be sold if they still possess any market value. There is no manufacturer of light infantry weapons in Slovenia. However, there is a factory for heavy arms (STO Ravne) and some laser manufacturers of military equipment, to whom permits for exportation or sales are issued by the Ministry of Defence according to the above procedure.

VI. Assistance and conclusion

24. Slovenia and its authorities would be willing to share experience and advise countries on legal provisions and the implementation of tangible measures regarding the prevention of the spread of terrorism and implementing measures against the Taliban and Al Qaida. Regarding the above, Slovenia proposed, at the UN-OSCE conference on all aspects of the illicit trade in small arms and light weapons in South-Eastern Europe, held on 11 and 12 March 2003 in Brdo pri Kranju, the establishment of the Regional Contact Point for SALW in Slovenia, which would ensure harmonisation of the "arms law" with European and UN legislations and UN conventions and resolutions in this region and, at the same time, offer assistance in implementing best practice in the control of arms exports and sales in the countries of South-Eastern Europe.

25. The Slovenian Arms Act defining the trade in civilian arms will have to be amended in the sense of harmonisation with the UN Convention against Transnational Organised Crime - Protocol on the Prevention of Illegal Arms Trade and the OSCE Joint Action on the Prevention of Illegal Arms Trade, which define the obligatory issuing of permits for brokering (this has been already legally settled for military weapons), the obligatory marking of weapons upon importation and the sanctioning of illicit brokering in arms trade (proposal to amend Article 310 of the Penal Code was submitted in 2002).